

REMARKS

In the Action, claims 1-6 are restricted between claims 1-2 and 6 (group I), claim 3 (group II), claim 4 (group III) and claim 5 (group IV). Applicants provisionally elect the group I claims. The provisional election is made with traverse.

The restriction is based on the position that the groups do not relate to a single general inventive concept. In making this conclusion, the Examiner alleges that the claims to, for example, a tyrosinase inhibitor, a fragrance, a cosmetic are different inventions and “cannot be considered to be a special technical feature.” (Action p. 3). Applicants respectfully disagree with the Examiner’s position.

As provided under 37 CFR 1.475(a), Applicants’ claims fulfill the requirement of unity of invention since they do, in fact, share a technical relationship. All of the claims require one or more compounds of the formula I. This technical feature exists in all of the claims and therefore Applicants assert that unity of invention requirement is satisfied. Accordingly, Applicant requests the restriction be withdrawn.

Additionally, the Examiner has requested species election based on either the election of any of the claims. The Examiner requests Applicants to choose a single species for the constituents of formula I (R1-R5). In response, Applicants provisionally elect the following: R1=hydrogen; R2=hydrogen; R3=methyl; R4=hydrogen; and R5=hydrogen.

In view of the above comments, Applicants request the restriction be withdrawn.

In the Application of:
SCHMAUS et al.
Serial No.: 10/558,364

Prompt and favorable examination is requested.

Respectfully submitted,



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